BELLSOUTH REPLY COMMENTS

WC Docket No. 04-313 CC Docket No. 01-338

October 19, 2004

Attachment 6

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

In the Matter of)	
Unbundled Access to Network Elements)	WC Docket No. 04-313
Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange))	CC Docket No. 01-338
Carriers)	

REPLY AFFIDAVIT OF RONALD M. PATE FILED OCTOBER 19, 2004

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AFFIDAVIT OF RONALD M. PATE ON BEHALF OF BELLSOUTH TELECOMMUNICATIONS INC. ("BELLSOUTH")

I, Ronald M. Pate, being of lawful age, and duly sworn upon my oath, do hereby depose and state:

I. PROFESSIONAL EXPERIENCE

1. My name is Ronald M. Pate. I am employed by BellSouth Telecommunications, Inc. ("BellSouth") as a Director – Interconnection Operations. In this position, I handle certain issues related to local interconnection matters, primarily operations support systems ("OSS"). My business address is 675 West Peachtree Street, Atlanta, Georgia 30375. My professional career spans over 30 years of general management experience in operations, logistics management, human resources, sales, and marketing. I joined BellSouth in 1987, and have held various positions of increasing responsibility since that time. I have testified before or filed testimony at the Public Service Commissions in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, and South Carolina, the

Tennessee Regulatory Authority, and the North Carolina Utilities Commission.

II. <u>PURPOSE</u>

- 2. The purpose of this affidavit is to respond to certain statements made in the declarations of AT&T's witnesses John S. Sczepanski, Mark David Van de Water, and Sharon Norris ("AT&T's witnesses"), Sherry Lichtenberg of MCI, Richard Batelaan of Cbeyond Communications, and the comments of Dialog Communications.
- 3. Throughout this affidavit, I will use the terms "batch" and "bulk" interchangeably when referring to the process of migrating UNE-P to UNE-L in batches.

III. PRE-ORDERING, ORDERING, AND FLOW-THROUGH FOR BATCH HOT CUTS

4. As described in the affidavit filed on October 4, 2004, by BellSouth's affiants Ainsworth, Milner, and Varner, BellSouth provides electronic access to the OSS necessary for the CLECs to perform the pre-ordering and ordering activities for batch hot cuts. At paragraphs 23-37, in particular, these affiants described the electronic pre-ordering and ordering processes that a CLEC might undertake to migrate a batch of UNE-P to UNE-L. As BellSouth's affiants stated, at paragraph 36, "accurate and complete LSRs [Local Service Requests] flow-through BellSouth's OSS to the service order generator (Service Order Communications System or "SOCS"), where a service order is generated from each LSR. BellSouth then sends a Firm Order Confirmation ("FOC") to the CLEC for each LSR. The service orders then move downstream for provisioning, including updating E911 databases and directory listing information, just as they would for service orders created from LSRs submitted individually." BellSouth established this process via its change management process (known as the Change Control Process) via a change request submitted by AT&T. Thus, BellSouth has "maximized the flow-through capability of batch orders for hot cuts," as AT&T's witnesses believe is necessary for a

- seamless hot cut process.
- 5. In their declaration, at paragraphs 166-173, AT&T's witnesses claim that the ILECs, including BellSouth, have deficient flow-through. They assert that flow-through is a constraint on the ILECs' capacity to handle UNE-L orders. As a preliminary matter, it is nonsensical for AT&T to suggest that the flow-through rate of UNE-L orders, either by themselves or as compared to that of other products (such as UNE-P), is sufficient to establish that CLECs are impaired without access to unbundled switching. Other factors in addition to flow-through establish that CLECs are not now impaired (and will not be in the future) in their ability to order UNE-L. This Commission (as it did in the 271 proceedings) should also consider Firm Order Confirmation (FOC) and Reject Timeliness performance, the accuracy of manual service order processing, and the scalability of associated manual processes. These factors belie any claims of impairment.
- 6. Furthermore, there are substantial differences in the processes associated with ordering UNE-L versus UNE-P. These differences have been recognized by the state commissions in Florida, Georgia, Kentucky, North Carolina, and Tennessee, which require BellSouth to disaggregate the flow-through measurement for UNE-L and have established a lower benchmark for UNE-L than that for UNE-P. In any event, as will be detailed below, BellSouth currently is meeting the regional disaggregated benchmark for UNE-L.
- 7. In their declaration, at paragraph 170, AT&T's witnesses mischaracterize BellSouth's response to an interrogatory in proceedings before the Georgia Public Service Commission. While the numbers cited by AT&T's witnesses are correct, they erroneously imply that the data establishes that BellSouth has poor flow-through rates. However, the data provided by BellSouth does not represent flow-through percentages. When AT&T served interrogatory 28 to BellSouth in Docket no. 17749-U (In the Matter

of FCC'S Triennial Review Order Regarding the Impairment of Local Switching for Mass Market Customers) at the Georgia Commission, AT&T asked BellSouth to provide the percent of migration orders (Local Service Requests, or LSRs, converting service to UNE-L) that were fully mechanized as compared to the total number of LSRs submitted – including both electronic and manual submissions. AT&T did not ask for flow-through percentages, and BellSouth was very clear in its responses as to what the numbers did and did not represent. BellSouth further clarified in the interrogatory response that it did not track the information at the level of specificity requested by AT&T, as its request was specific for BellSouth retail to UNE-L migrations. Consequently the data provided captured migrations to UNE-L from all sources whether the losing local service provider was a BellSouth retail unit or another CLEC.

- 8. BellSouth derived the percentages in its response for AT&T's interrogatory 28 by using the disaggregated data that are the underlying data used by BellSouth to develop its flow-through Service Quality Measurement (SQM) metric. BellSouth's discovery response also included data related to manually-submitted LSRs, which is *not* part of the SQM flow-through calculation. It is simply false to suggest, as does AT&T, that these percentages represent flow-through for UNE-L orders submitted by CLECs.
- 9. Actual commercial experience is a better indicator of the very high flow through rates achieved by BellSouth's electronic interfaces for the submission of migration orders to UNE-L. For example, in December 2003 through February 2004, one Florida-based CLEC submitted electronically via the Local Exchange Navigation System (LENS) interface a significant volume of LSRs to migrate its embedded base of UNE-P to UNE-L with Local Number Portability (LNP). In December this CLEC submitted 8,738 LSRs, in January 5,662 LSRs, and in February 6,970 LSRS to migrate from UNE-P to UNE-L. For each of these three months the flow through rate for these electronically submitted

- LSRs was 99.1% and these submissions accounted for more than one third of all electronic LNP LSRs for this 3 month period.
- 10. Although a portion of these LSRs did fall out for manual intervention by BellSouth's center personnel, a root-analysis of the LSRs submitted in December 2003 and January 2004 indicated that during this two month period, a total of 2,266 of the submissions by this CLEC fell out by design for manual processing. From an analysis of the 2,267 LSRs that fell out, it was determined that the vast majority, 2,150 LSRs or 95%, did so due to pending service orders. In other words, this CLEC had pending service orders in process for its own accounts that had not cleared before the CLEC submitted LSRs to migrate the accounts to UNE-L. If the CLEC had only checked its systems for pending order activity, which it should do in the normal course of operational processing, these migration requests likely would have flowed through the systems as well. Thus, commercial usage indicates BellSouth does not now (nor will it in the future) impair CLECs in their ability to order UNE loops.
- 11. BellSouth's UNE flow-through performance continues to exceed the benchmarks established by the state regulatory commissions. For example, BellSouth's August 2004 regional flow-through rate was 97.5%. Further, BellSouth's disaggregated regional flow-through rate for UNE-P (97.7%) and UNE-L (90.1%) both exceeded benchmarks where such have been established by a state regulatory authority.
- 12. Lastly, this Commission has carefully considered BellSouth's flow-through performance, and found it to be more than satisfactory. In its three Orders approving BellSouth's provision of long-distance service, the Commission specifically concluded that "BellSouth's OSS are capable of flowing through UNE and resale orders in a manner that affords competing carriers a meaningful opportunity to compete."

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¹ Order No. 02-331 (BellSouth Florida/Tennessee Order) in FCC WC Docket 02-307, dated December 20, 2002, at paragraph 93 (footnote omitted).

13. Although, at the time of its last 271 application in October 2002, BellSouth did not meet the established flow-through benchmarks for all segments, the Commission recognized in its *Florida/Tennessee Order* that BellSouth had missed the flow-through benchmark for residence and business resale orders, but nonetheless found BellSouth to be compliant with the checklist.² BellSouth's application provided PMAP flow-through results for May through July 2002, which were as follows:

Month	Residence Resale	Business Resale	UNE	LNP
May 2002	86.74%	69.54%	82.57%	89.75%
June 2002	88.58%	73.74%	83.84%	83.63%
July 2002	87.70%	73.23%	88.50%	88.50%
Benchmark	95%	90%	85%	85%

14. Since its last 271 application, BellSouth's performance continues to improve, and current results show strong overall flow-through results since the FCC's *Florida/Tennessee*Order.³ Using the same August 2003 timeframe that AT&T's witness cite in paragraph 170 of their declaration, BellSouth's SQM Flow-through results were as follows:⁴

Segment	Result	Benchmark
Residence Resale	97.31%	95%
Business Resale	88.67%	90%
UNE Loops	86.19%	85%
UNE-P	96.40%	90%
LNP	84.64%	85%

² *Id*.

³ In its *Order*, at paragraph 93, the FCC recognized that "BellSouth's flow-through performance has improved since the BellSouth Georgia/Louisiana and Multistate applications."

⁴ It is worthwhile to note that BellSouth began reporting in March 2003, at the direction of the Florida, Georgia, and North Carolina Commissions, further disaggregation of the UNE segment to the UNE-P and UNE-L level. As a truer comparison to the numbers reported by BellSouth in its Florida/Tennessee application, the combined UNE segment for August 2003 was 96.13% and for August 2004 was 97.55% - well above the previous combined UNE benchmark of 85% existing at the time of BellSouth's application.

15. BellSouth's current flow-through performance is even better, as the following flow-through data for August 2004 indicates:

Segment	Result	Benchmark
Residence Resale	98.57%	95%
Business Resale	88.95%	90%
UNE Loops	90.06%	85%
UNE-P	97.73%	90%
LNP	97.77%	85%

16. This data reflect that BellSouth has outstanding flow-through performance, particularly in the residence resale and UNE-P segments. This is due to BellSouth's conscious efforts to improve flow-through performance in the segments in which the CLECs submitted the vast majority of their LSRs. The following chart, also from the August 2004 Flow-through Report, demonstrates that the combined Residence and UNE-P segments account for 94% of all CLEC electronic LSR submissions. Based upon the CLECs' business activities, it is reasonable that BellSouth has concentrated its efforts to date as it has.

Segment	Total Mech LSRs	% of Total Electronic LSRs
Residence Resale	88,489	11.7%
Business Resale	10,327	1.4%
UNE Loops	18,459	2.4%
UNE-P	622,864	82.2%
LNP	17,223	2.3%
Total	757,362	100.0%

17. BellSouth continues to devote resources to ensure sustained flow-through performance as well as improved performance for all segments. In fact, BellSouth has initiatives underway to improve flow-through such that all segments consistently meet the flow-through benchmarks, including UNE-L. A quarterly flow-through improvement report is

- filed with the Florida Public Service Commission that details those efforts. BellSouth's last two Quarterly Reports (filed June 18, 2004 and September 22, 2004) are attached as Exhibits RMP-1 and RMP-2.
- 18. BellSouth's interfaces provide CLECs with the ability to view local service freeze indicators, if any, during the pre-ordering process. On page 9 of its comments, Dialog Communications, which focuses on residential customers in Kentucky, alleges that it is "unable to see if an incumbent's customer has local service freeze on their [sic] account." Dialog claims that this causes orders to be rejected and delays the conversion. Dialog is mistaken, at least in the case when Dialog wishes to migrate an end user from BellSouth to Dialog. In that circumstance, Dialog may view the customer service record (CSR) during the pre-ordering process, which would include any local service freeze indicator for BellSouth retail accounts for end users in Alabama, Florida, Kentucky, Louisiana Mississippi, and South Carolina, which are the only states in BellSouth's region that have authorized local service freezes as an anti-slamming device.
- 19. In paragraph 10 of Mr. Batelaan's declaration, Cbeyond claims that its "systems are not set up for the access service request ('ASR') ordering environment necessary to obtain ILEC special access." Cbeyond also estimates that it would cost hundreds of thousands of dollars in system changes to accommodate ASR ordering. Such claims are meritless.
- 20. First, let me explain the ASR ordering systems and process. Carriers typically transmit ASRs electronically to BellSouth via a dedicated link to BellSouth's Exchange Access Control and Tracking ("EXACT") system or via a web-based graphical user interface ("GUI") provided by BellSouth, which is known as the Common Access Front End ("CAFE"). EXACT is the mainframe ordering system that handles the processing of ASRs. EXACT has been used to process ASRs for more than 15 years. CAFÉ is the system that facility based CLECs may use to order trunks. This web-based system allows

- the submission of ASRs at no charge to CLECs or IXCs. CAFÉ sends ASRs to EXACT for processing.
- 21. Cbeyond is currently set up in CAFÉ with 2 users, Ron Rhone and Morgana Jones. With access to CAFÉ, Cbeyond can perform pre-order validations (address, CFA, and NC/NCI) and issue ASRs for UNE combinations. Cbeyond can also submit ASRs for special access via CAFÉ without any modification to its systems, if it is a certified interexchange carrier that has been assigned an access customer terminal locator ("ACTL"). Neither the certification nor the assignment of an ACTL requires system changes to accommodate ASR ordering via CAFÉ. BellSouth's records indicate that Cbeyond has a presence at some ACTL locations, which suggests that it is a certified IXC. Although it appears that Cbeyond is not using CAFÉ at this time, it could readily do so.
- 22. In any event, Cbeyond has submitted ASRs via other electronic means and continues to do so, notwithstanding Mr. Batelaan's claims that Cbeyond's systems are not set up for ASR ordering. Cbeyond has been submitting ASRs to BellSouth, at a minimum, since February 2002. Of note, BellSouth's records indicate that Cbeyond has submitted 7,619 ASRs for the period of April 1, 2003 to October 12, 2004. Of that number, 299 were submitted mechanically either through Connect:Direct, which is a service that submits CLECs' orders via electronic batch loads, or through CAFÉ, as described above.
- 23. Mr. Batelaan's claims that Cbeyond's systems are not set up for ASR ordering is also not credible, since Cbeyond specifically demanded that it be allowed to order DS1 combinations electronically via an ASR, and BellSouth complied with this demand in Georgia Public Service Commission's Docket 14642-U. On page 5 of its Petition for Expedited Mediation in Docket 14642-U, Cbeyond asked that the Georgia Public Service Commission "require BellSouth to provide Cbeyond with the ability to electronically

order DS1 UNE combinations via the ASR or LSR process." Further, Cbeyond's witness, Mr. Hyde stated in his testimony that, "BellSouth's established methods and procedures for submitting UNE combination orders only require four fields to be populated to notify BellSouth that the order is for UNE combinations and not special access. These fields are already incorporated on the ASR form...This is a very straightforward and simple process that Cbeyond can immediately utilize to place its UNE combinations orders with BellSouth [via an ASR.]."

As a result of a settlement reached in Docket 14642-U, an Amendment to the Interconnection Agreement between BellSouth and Cbeyond was executed in February 2002. In this Amendment the parties agreed to "incorporate rates, terms and conditions for ordering DS1 Combinations ordered via an ASR" Cbeyond subsequently dismissed with prejudice its complaint in Docket 14642-U, apparently satisfied that it had secured the capability to submit electronic orders via an ASR. Based on BellSouth's records for the past 18 months, Cbeyond has made frequent use of this capability, submitting numerous UNE orders to BellSouth electronically via the ASR. Thus, Cbeyond's systems are already set up to submit ASRs to BellSouth, and this alleged obstacle to Cbeyond utilizing special access services does not exist.

IV. LOOP MAKEUP (LMU) AND THE LOOP FACILITIES ASSIGNMENT AND CONTROL SYSTEM ("LFACS") DATABASE

25. In her declaration, at paragraphs 17-24, Ms. Lichtenberg of MCI discusses the LFACS database. She speculates about the accuracy of the data in LFACS, and seems to suggest, particularly in paragraph 24, that a market based on UNE-L might cause problems with the accuracy of data in the LFACS database. Her complaint is a rehashing of complaints the CLECs made during the state and federal 271 filings. Such complaints were repeatedly rejected. This issue was raised in all three of the BellSouth 271 filings

- (Georgia/Louisiana, Five-State, and Florida/Tennessee) and all three times, this Commission rejected this complaint on the grounds that BellSouth provides CLECs with the same information in LFACS that it provides to itself.
- 26. BellSouth offers CLECs access to loop makeup data in LFACS via LENS, EDI, and TAG. LFACS is the live, real-time database, the primary source of BellSouth's loop data, and contains certain minimum information about each pair, including assignment data (cable and pair assignments and the serving terminal information), as well as whether the loop is served by copper or digital loop carrier ("DLC") and whether the loop contains load coils. This information is updated in a real-time basis each and every time any change is made to the loop assignments for any given service. This information is generally very accurate. Any inaccuracies are typically associated with detailed loop makeup data (cable makeup and/or loading discrepancies), not assignment data (cable and pair and transmission medium information). Activity, whether it is caused by BellSouth's own customers connecting or disconnecting service or by migrations between BellSouth and CLECs or between CLECs, impacts the database in identical fashion, and the LFACS database is updated, real-time, as changes occur. Contrary to Ms. Lichtenberg's statements in paragraph 20 of her testimony, any inaccuracies in the ILEC's database are not discriminatory, because they affect the ILEC in the same fashion as competing carriers, as this Commission has recognized. See Kansas/Oklahoma Order ¶ 126.
- 27. Based on her statements in paragraph 24, Ms. Lichtenberg mistakenly believes that the ILECs, including BellSouth, do not have processes for maintaining the data in their LFACS databases. This is not true for BellSouth. BellSouth updates LFACS on a real-time basis each and every time any change is made to the loop assignments for any given service. BellSouth is continuously updating and/or populating Loop Makeup (LMU) data

- in LFACS as Engineering Work Orders are issued. Additionally, each time the manual Loop Makeup service inquiry process is used, BellSouth loads the resulting LMU information into LFACS for future queries. Thus, the LFACS database improves on a daily basis, and will continue to do so. Further an audit for "accuracy" is unnecessary because any inaccuracies negatively affect BellSouth just as they would the CLECs. It is in BellSouth's best interest to ensure that LFACS remains very accurate, and BellSouth already does this, as I have described above.
- 28. Further, Ms. Lichtenberg, at paragraph 20 of her declaration, suggests that LFACS needs to be tested to determine if it can handle the volume of transactions that might occur in a facilities-based environment. BellSouth notes that, during the third party testing in Florida, KPMG volume tested the CLECs' access to LMU, and thus LFACS, when it tested the pre-ordering interfaces, TAG and LENS. KPMG performed normal day testing, peak day testing, and stress testing on the pre-ordering interfaces. KPMG was satisfied with the results. In addition, because BellSouth itself relies on LFACS, there is simply no reason to believe that LFACS cannot handle any increased volumes, particularly when BellSouth has every incentive to ensure that its systems have requisite capacity.
- 29. BellSouth agrees with Ms. Lichtenberg's statement in paragraph 18 that CLECs might choose to perform a loop makeup transaction before migrating end users from UNE-P to UNE-L. Because only the CLEC knows what services it desires to deliver to its end user, the CLEC should evaluate which services might be an option or available at that location. Depending upon the type of service that the CLEC is ordering, the CLEC is responsible for qualifying a loop in advance of submitting a firm order. By qualifying the loop, the CLEC ensures that the existing facility is compatible with the service to be provided to the CLEC's end user. It can also determine if the existing facility is *incompatible* with

- the service the CLEC plans to provide, and whether or not alternate facilities are available that will satisfy the request. It is BellSouth's responsibility to provide the tools necessary to give a CLEC nondiscriminatory access to the data contained in LFACS. It is the CLEC's responsibility to qualify the loop. A market based on UNE-L would not change the responsibilities of the CLEC and the ILEC. It is good business practice for the CLEC using loops to perform this transaction.
- 30. In her declaration, at paragraph 21, Ms. Lichtenberg asserts that during a trial of UNE-L in BellSouth's territory, "MCI discovered a defect in LFACS that prevented the ILEC and the CLEC from obtaining information about UNE loops assigned to a CLEC." Because Ms. Lichtenberg provided no supporting details, BellSouth is not certain the defect to which she refers, particularly since BellSouth was unable to locate any "defect request" that was supposedly entered on behalf of MCI. Nevertheless, BellSouth can only assume that MCI is referring to Change Request 1797, which was opened on March 25, 2004, to address some intermittent problems that CLECs were having with the request of loop makeup information by circuit ID via LENS primarily, and on occasion on requests submitted via TAG or EDI. BellSouth validated that this was a defect in LFACS resulting from the order in which the data was built into the LFACS database. The correction for this defect is being made via LFACS Release 34.0 on a regional basis. This work began in July 2004 and was scheduled to be completed in all regions by September 2004. However, because of the recent hurricane activity, LFACS Release 34.0 has been re-scheduled to complete in late October 2004. Additionally, BellSouth has made a workaround available for this defect, and that workaround has been requested less than 50 times since it has been in place, according the BellSouth's records. So if this is the defect to which Ms. Lichtenberg refers, this defect has been addressed, and full correction is expected by late October 2004. If this is *not* the defect to which Ms.

- Lichtenberg refers, then she should be forthcoming with complete documentation, so that BellSouth can properly address her concerns.
- 31. At paragraph 22 of her declaration, Ms. Lichtenberg of MCI discusses a "limited trial of UNE-L" that allegedly revealed problems with loop makeup information. Although she provided no details about this trial, BellSouth believes Ms. Lichtenberg is referring to eight (8) transactions that it made in early 2004 in Georgia. Contrary to Ms. Lichtenberg's assertions, this "trial" did not uncover problems with BellSouth's LFACS or LMU. BellSouth reviewed the eight transactions and determined that the data in LFACS is highly accurate and reliable. The review of these transactions determined that the loop makeup response provided by the electronic LMU query was 100% accurate and complete. MCI, however, made several mistakes. Following its review and analysis of these transactions, BellSouth provided MCI with an explanation as to why its orders were cancelled.
- 32. CLECs may order both designed and non-designed UNE-L services from BellSouth.

 Loop facilities (that is, outside plant cables and pairs) may be mechanically assigned on non-designed service orders using the assignment logic algorithms of LFACS, or they may, as in the case of the UCL-ND loop, be manually "assigned" by the CLEC using the loop makeup and facilities reservation process. Most designed services, on the other hand, must be qualified either by BellSouth or the CLEC.
- 33. When BellSouth qualifies the loop on behalf of the CLEC, the CLEC submits a Service Inquiry and an LSR to the Complex Services Resale Group, or CRSG. The CLEC's migration request is forwarded by the CRSG to the appropriate BellSouth Outside Plant Engineering personnel to determine if the existing facilities are compatible or if a spare qualified facility is available for the service being ordered. When the existing facilities that currently serve the account are compatible for the service being ordered, the order is

issued such that the existing facilities are reused. In the event existing facilities are not compatible, Outside Plant Engineering will search for compatible spare facilities. When spare qualified facilities are available, the engineer will reserve the facilities and notify the CRSG of the reservation. In turn, the CRSG will pass the CLECs firm order with the spare facility reservation to the LCSC for processing of a service order using the facilities reserved by the engineer.

- 34. Alternately, when the CLEC qualifies the loop, the CLEC performs the loop makeup (either manually or electronically) and determines if the existing loop is qualified for the service being ordered or reserves a spare pair that qualifies for the service being ordered. The CLEC populates the Reservation ID (RESID) field on the LSR with all X's (when existing facilities are compatible) or with the Facilities Reservation Number, or FRN, when spare compatible facilities are reserved. This information is populated on the service order so that the appropriate facilities qualified by the CLEC are used (that is, existing facilities are reused or alternate facilities are assigned).
- 35. The alternatives available to provision UNE-loops (including copper facilities or UDLC, hair pinning, or side door access) are available or not available depending upon the kinds of facilities that serve a particular location. BellSouth makes available to CLECs, via the loop makeup process, the information necessary to determine which types of facilities serve a location and might be available for assignment. BellSouth does provide unbundling alternatives (copper loops, UDLC, hair pinning, etc.), but when the CLEC chooses to qualify the loop itself, *it is up to the CLEC* to select which alternative it desires to use, based upon what is available, and reserve the available compatible facility.
- 36. Regarding MCI's eight transactions in its Georgia "trial," BellSouth determined that, in seven of the eight transactions, the existing facilities were incompatible with the service being ordered. MCI ordered 2-wire, Unbundled Copper Loop Short (UCL-S). The

existing UNE-P loops were served via integrated digital loop carrier, loaded copper cable, or universal digital loop carrier facilities, none of which are compatible with UCL-S as defined in the TR-73600 *Unbundled Local Loop - Technical Specifications* guide.⁵ MCI had the option at this point of ordering a different product (such as an SL1 or SL2 voice grade loop) or finding an alternate spare compatible facility.

- 37. MCI could have performed a loop makeup for spare facilities at those locations to determine which migration alternative (spare copper, UDLC, hair pinning, etc.) was available. MCI could have queried the LFACS database for spare facilities in preferred search order (for example, MCI could have searched for Copper (Non-Loaded, then Loaded), Universal Pair Gain, then finally Integrated Pair Gain where the Side Door Port = "A" indicating that hair pinning was available). BellSouth, in its investigation, performed this query and determined that had MCI done so, it would have again received accurate responses in 100% of the cases.
- In these seven transactions, MCI failed to perform the second LMU query or reserve compatible spare facilities. MCI did not populate the RESID field on the LSR with an appropriate FRN. What MCI did instead was to submit the LSR, *knowing that the existing loop would not support the product it was ordering*, expecting BellSouth to find a spare, qualified loop for it. Rather than properly qualifying the loop and submitting the LSR accurately, MCI instead chooses to blame BellSouth, claiming inaccurate LFACS data. The reality is that MCI does not follow documented processes and apparently has internal operational issues concerning loop qualification. BellSouth correctly rejected (cancelled) these orders.
- 39. In the eighth transaction, MCI qualified the loop and correctly determined from the loop

⁵ This guide is available at the interconnection website at http://interconnection.bellsouth.com/guides/html/tech_ref.html and defines the transmission characteristics of the loop being ordered.

makeup that the existing facilities would support the service being ordered. However, MCI incorrectly populated the RESID field. The RESID should have been populated with all X's to indicate that the existing facilities were compatible (or MCI should have populated the RESID with a valid FRN to indicate that the reserved spare pairs were compatible). Instead, MCI populated the RESID with a "Y", which is never a valid entry. In this case, too, BellSouth cancelled the order, although BellSouth stated that it cancelled the order due to the loop requiring copper facilities, which was not accurate. The existing facilities were compatible, and had the order been submitted with all "X's" in the RESID field, the order would have flowed through, existing facilities would have been reused, and the order would have been worked and not rejected.

- 40. It is clear that MCI did not avail itself of the training and extensive documentation that BellSouth provides to the CLECs with which to perform this function. Loop Makeup ordering information can be found in the Pre-Ordering section of the Local Ordering Handbook.⁶ The D/CLEC Pre-Ordering and Ordering Guide for Electronic Loop Makeup (LMU), the BellSouth Loop Makeup (LMU) CLEC Pre-Ordering and Ordering Guides for Manual Loop Makeup, and the DLEC/CLEC Job Aid for Loop Qualification System (LQS) provide specific information about interpreting LMU responses.⁷ BellSouth also provides CLECs with the BellSouth LMU CLEC Information Package.⁸ BellSouth has repeatedly offered informal training sessions in which it demonstrated how the loop makeup process works and how to interpret loop makeup responses. Formal training is also available.
- 41. In paragraph 24 and footnote 10 of her declaration, Ms. Lichtenberg of MCI recognizes that BellSouth allows CLECs to reserve spare copper facility, but adds that "MCI has

⁶ The *Local Ordering Handbook* is readily accessible on the Interconnection website at http://interconnection.bellsouth.com/guides/html/leo.html.

These documents are available at http://www.interconnection.bellsouth.com/guides/html/bpobr.html.

⁸ The information package is located at http://interconnection.bellsouth.com/guides/html/unes.html.

been unable to test" that functionality. It is unclear from her statement whether MCI is confused about how to use the reservation function (and has not contacted BellSouth for clarification), or if it simply has not taken the opportunity to test it. However, in either case, MCI should take the initiative and test the functionality to the extent it has a concern, instead of appearing to suggest erroneously that the functionality does not work.

V. CUSTOMER SERVICE RECORDS AND DIRECTORY LISTINGS

- 42. Throughout her testimony, but especially at paragraphs 8-16 and 25-28, Ms. Lichtenberg of MCI complains of several issues related to the migration of end users from CLEC-to-CLEC. These issues, although important to a dynamic market, have nothing to do with whether or not BellSouth provides a seamless and effective hot cut process, or whether CLECs are impaired without access to unbundled local switching. These issues, rather, are issues related to the CLECs' transactions with each other, and their apparent inability to cooperate with each other (or to cooperate with BellSouth when BellSouth is migrating an end user from a CLEC to BellSouth). I will refer to these transactions as "end user migrations," because these issues affect not just CLEC-to-CLEC migrations, but CLEC-to-ILEC, wireless-to-wireline, cable-to-wireline, and other types of migrations that can occur when an end user has a choice of voice providers.
- 43. BellSouth believes that there are several appropriate venues for matters related to end user migrations: the state commissions, the industry standards body, and in another docket at this Commission. Nevertheless, BellSouth recognizes that it must be involved in the transfer of loops between CLECs when the loops are purchased from BellSouth. Consequently, it accepts LSRs from CLECs that are migrating end users on UNE-L. BellSouth's CLEC-to-CLEC conversion product is described in the CLEC to CLEC Conversion for Unbundled Loops document, which is located at the Interconnection web

- site.⁹ As BellSouth's affiants Ainsworth, Milner, and Varner stated, at paragraph 26, of their affidavit of October 4, 2004, BellSouth also provides batch migrations for CLEC-to-CLEC migrations that meet the other criteria for batch hot cuts.
- 44. As for appropriate venues, in BellSouth's region, the Telecommunications Competitive Interests Forum was formed under the auspices of the Florida Commission. The purpose of this collaborative is to develop the rules for the migration of UNE loops or UNE-L among the CLECs, first for voice grade circuits, and then for data circuits. Some of the participants are: AT&T, Sprint, MCI, Allegiance, Verizon, and BellSouth. Although the participants have submitted draft migration rules to the Commission, unresolved issues have prevented the Florida Commission from instituting the rules. After the Florida collaborative establishes the end user migration rules for voice grade circuits, the participants plan to use the rules as guidelines for establishing rules in the other states in BellSouth's region. The participants plan to use the end user migration rules for data circuits in the same manner, once those rules have been established.
- 45. Further, the industry has begun developing guidelines for end user migrations. The Ordering and Billing Forum ("OBF"), a committee of Alliance for Telecommunications Industry Solutions ("ATIS"), began considering the issue of end user migrations, including CLEC-to-CLEC migrations, in 2003. AT&T is one of the sponsors of this issue at the OBF. The OBF's guidelines, which are formalized in *Local Service Migration Guidelines, Issue 1* document, contain information regarding the minimum amount of information that should be included on CSRs and LSRs, and it includes responsibility charts and flows for all the parties involved in the migration. Thus, contrary to Ms. Lichtenberg's statement at paragraph 14 of her declaration, the industry is providing guidelines about the exchange of information between service providers and

⁹ http://www.interconnection.bellsouth.com/guides/unedocs/c2c.pdf

- the format in which that information should be exchanged.
- 46. In addition to the efforts of the state commissions and the industry, BellSouth believes that this Commission provides an appropriate venue for the resolution of issues related to end user migrations, such as Docket CG 02-386. In this docket, the Commission is considering the levels of exchange of information between interexchange carriers and local exchange carriers when end users change their PICs. BellSouth recently presented an ex parte in docket CG 02-386 to several staff members of the Consumer and Governmental Affairs Bureau of this Commission. During this ex parte, BellSouth explained that the same problems experienced by interexchange carriers are shared by local service providers in the local exchange market, often due to the fact that the providers are not subject to any regulatory requirements (with the exception, of course, of the BOCs that are regulated by 251 and 271 requirements). BellSouth has recommended that the Commission implement mandatory minimum standards for the consistent and timely exchange of information between local service providers for CSR retrieval, LSR submission, LSR rejects and clarifications, firm order confirmations, due dates, change management processes, and industry standards. See Exhibit RMP-3, which is the ex parte that BellSouth presented to the Consumer and Governmental Affairs Bureau.
- 47. Although end user migration or CLEC-to-CLEC migration issues are not related as to whether or not BellSouth provides a seamless and effective hot cut process, or whether CLECs are impaired without access to unbundled local switching, BellSouth agrees generally with many of Ms. Lichtenberg's statements in paragraphs 8-14 of her declaration. In the case of UNE-L migrations between CLECs, the "new" CLEC (or local service provider) will need to obtain the CSR from the "old" CLEC (or local service provider). The new local service provider always needs customer information in order to prepare an accurate and complete LSR to submit to the old service provider. Although it

- is not an issue in the impairment case and the batch migration of UNE-P to UNE-L end users, BellSouth also agrees that CSRs should be exchanged in a timely manner, which is why it raised this issue in Docket CB 02-386. At paragraph 11 of her declaration, Ms. Lichtenberg complains about the amount of time it takes to obtain a CSR from other carriers when migrating a facilities-based end user. BellSouth can sympathize in the same situation, it, too, has experienced lengthy intervals when requesting CSRs from other carriers, including CLECs, as noted in Exhibit RMP-3.
- 48. BellSouth, however, disagrees with *many* of Ms. Lichtenberg's specifics. For example, at paragraph 9 of her declaration, Ms. Lichtenberg of MCI states that, in the case of facilities-based migrations, the CSR is required by the new service provider to determine what features are being provided by the old service provider's switch. Ms. Lichtenberg's statement is strange, because a new facilities-based local service provider will be using its own switch, not the old local service provider's switch. Because the old local service provider's switch may be different and have different features, the new local service provider should discuss with the end user which features are available in its (the new provider's) switch, and not rely on the information about features on the old local service provider's CSR.
- 49. At paragraphs 9, 10, 12, and 13, Ms. Lichtenberg highlights the importance of obtaining the circuit ID from the old service provider. Although BellSouth agrees that the old service provider should provide this information, CLECs do not need circuit IDs to migrate UNE-P to UNE-L, either individually or in bulk. CLECs do not need this information because UNE-P is on BellSouth's switch. CLECs may need circuit IDs when they are performing CLEC-to-CLEC migrations of UNE-L. The "new" CLEC or "new" local service provider should obtain the circuit ID information from the "old" CLEC or "old" local service provider. Specifically, the old CLEC should provide the circuit ID on

- the CSR. The OBF guidelines and various state collaboratives have determined that the old local service providers should provide the circuit ID on the CSR.
- 50. As I stated earlier, the OBF document contains guidance on the minimum amount of information that should be included on CSRs and LSRs, and discusses the responsibilities of all the parties involved in the migration. Thus, contrary to Ms. Lichtenberg's statement at paragraph 14 of her declaration, the industry is providing guidelines about the exchange of information between service providers and the format in which that information should be exchanged.
- 51. Ms. Lichtenberg of MCI presents more distractions from the issue of UNE-P to UNE-L migrations in paragraphs 10 and 15 of her declaration. BellSouth disagrees that end users are "stuck" with their first migration. Concerning Ms. Lichtenberg's remarks, at paragraph 10 and in footnote 4, regarding the availability of the circuit ID in the BOC's systems, although a minimal amount of information remains in BellSouth's systems, this is just another smokescreen. After the end user has migrated from BellSouth to a facilities-based provider (such as a CLEC using UNE-L), BellSouth does not know what kind of services the CLEC is providing to the end user, nor is the minimal information kept in the system that generates CSRs. It is the CLEC's responsibility to maintain its own records, including customer service information and circuit IDs, for its UNE-L end users. If the end user migrates to another CLEC, it is that CLEC's responsibility to obtain the CSR from the old CLEC. As I have already stated, the CLECs should be sharing such information with each other because they have the information about their customers served by loops, not BellSouth. Again, this issue is not relevant to the question of whether CLECs are impaired without access to unbundled local switching.
- 52. As for Ms. Lichtenberg's comments at paragraph 15, about available circuits, if the old CLEC and the new CLEC would follow the OBF guidelines (or state rules, if applicable),

the new CLEC should not have a problem getting the circuit ID from the old local service provider. If the new CLEC or new local service provider needs a new circuit, it may order one and is not forced to re-use the losing CLEC's circuit. In BellSouth's experience, many migrating end users subscribe to cable providers that do not use circuits, so consequently the new local service provider must order a new circuit for them. In addition, the new CLEC should be responsible for negotiating products and services with the end user, including hunting to ensure hunting arrangements do not change when the end user is switched. It should be noted that, if the new facilities-based CLEC is switching an end user from a different facilities-based CLEC, it would be impossible to guarantee that hunting arrangements would stay the same, because of the requirements of different switches might force changes.

53. At paragraph 16 of her declaration, Ms. Lichtenberg of MCI proposes that a CSR clearinghouse be established and then maintained by the CLECs and ILECs. BellSouth disagrees that the establishment of a new clearinghouse or distributed database (as Ms. Lichtenberg called it during the state TRO testimony) is at all necessary. If the CLECs are having problems obtaining CSR information for CLEC-to-CLEC UNE-L migrations, it is because they apparently are not able to cooperate with each other and share CSR information. Although BellSouth certainly agrees that the CLECs need this information from each other, in order to migrate facilities-based end users from one CLEC to another, BellSouth does not agree with Ms. Lichtenberg's approach to facilitating the transfer of this information: a new national database. Instead, BellSouth believes that the industry and regulatory authorities are and will continue to handle this issue appropriately. There is a much more sensible and reasonable approach to sharing information, compared with MCI's proposal for a clearinghouse. Just as BellSouth has opened its OSS to the CLECs, so the CLECs and other local service providers should be required to maintain their own

records and to provide, at a minimum, electronic access, and, at a maximum, fully-integratable, machine-to-machine electronic interfaces with other local service providers (including CLECs and BellSouth), at the CLECs' cost. Various measurements and remedies could also be established to ensure that the CLECs cooperate with other local service providers and provide the necessary information with each other in a timely manner. This is a more direct resolution to the problem than imposing additional unwarranted obligations on BellSouth, which is a third party to CLEC-to-CLEC migrations.

54. At paragraphs 4-6 and 25-28, Ms. Lichtenberg of MCI complains that, in a facilitiesbased environment, the new CLEC would need to obtain directory listing information from the end user and the old CLEC. She makes this seem like a difficulty or obstacle, when it is just a good and reasonable business practice. Again, this is a distraction from the issue of impairment and batch hot cuts. Of course, the new CLEC should negotiate the appropriate listing with the end user ordering new service from the new CLEC. The new CLEC should then follow the guidelines and business rules of the directory service provider (often the ILEC) to establish the listing that the end user has requested. Any existing listings that existed with the end user's old CLEC should be disconnected when the end user migrates to the new CLEC.¹⁰ If the CLEC follows the guidelines, there should be no increase in listing errors under the UNE-L migration process. Again, in addition to the business rules already provided by the directory service providers, the OBF document also provides guidelines for directory listings and the responsibilities of the parties involved. There is no need to establish new processes, as Ms. Lichtenberg suggests at paragraph 28 because there are already adequate processes in place, as I

¹⁰ As information, in BellSouth's region, directory listings are billed to the end user's old CLEC and the listing account has an indicator to show which CLEC owns the listing account. When the listing account is disconnected, the old CLEC receives a loss notification.

- described above.
- Ms. Lichtenberg of MCI offers a raft of excuses related to CLEC-to-CLEC migrations in an effort to distract this Commission from the issue at hand: whether or not BellSouth's current process impairs the CLECs without access to unbundled local switching. To reiterate, the CLEC-to-CLEC migration issues raised by the CLECs are not relevant to the question of impairment and batch hot cuts.

VI. THE NUMBER PORTABILITY ADMINISTRATION CENTER (NPAC)

- At paragraphs 30-34 of her declaration, Ms. Lichtenberg of MCI speculates, without providing evidence that NPAC may not be able to handle the volumes of transaction that would occur in a dynamic UNE-L market. She also suggests that because NPAC is untested that it will not be able to respond under the new facilities-based environment. Her comments are pure conjecture.
- Although NeuStar (not BellSouth) is the NPAC administrator, BellSouth's positive experience with NeuStar renders Ms. Lichtenberg's concerns unpersuasive. First and foremost, NeuStar is obligated by its contracts with service providers to handle industry-wide portability volumes regardless of the product (in this case, UNE-L). Second, BellSouth, among other service providers in the Southeast region, supports NeuStar by providing forecast information (via the NPAC Forecasting Group, or NFG) that NPAC uses for capacity planning and implementation. All local, long-distance, and wireless carriers in the region have the same opportunity to provide forecasts through NFG to assist NeuStar in developing an optimally efficient process. It is unknown whether MCI provides such forecasts.
- 58. To illustrate the NPAC's volume-handling capability, consider that total transactions between service providers and the NPAC jumped from 1,075,331 in September 2003 to 2,435,215 in September 2004 a significant increase of 126% in a year's time. The

- NPAC has successfully met the increased transaction demand from BellSouth as well as that from other service providers in the region because of due diligence in capacity planning with its regional forecasting partners. There is simply no reasonable basis to believe that NPAC will be unable to handle the number of the types of transactions envisioned by Ms. Lichtenberg.
- 59. At paragraph 33 of her declaration, Ms. Lichtenberg of MCI suggests that the fact that the NPAC system (in the southeastern region) was down in May 2004 "to reload data" is somehow an example of a potential issue in a facilities-based environment. Ms. Lichtenberg cites to complaints and risks regarding 911 calls. BellSouth notes that the incident did not take place in exactly the manner that Ms. Lichtenberg suggests. Because of the day to day monitoring of the seven regional NPACs, NeuStar noticed a slow-down in the Southeast and Midwest regions due to fragmentation of the database. NeuStar proactively requested of North American Portability Management LLC (NAPM) approval for an extended maintenance window to conduct a full de-fragmentation of the Primary and Disaster Recovery databases in the Southeast and Midwest regions, which would resolve severe slowness in those regions. NAPM granted approval. In the Southeast, the maintenance window was scheduled from Saturday May 8, 2004, 7pm CDT to Monday, May 10, 2004, 7am CDT. Neustar completed the maintenance early on May 9, 2004 at 7pm CDT. The maintenance increased the response times in the region. Neustar performed the same maintenance work in the Midwest region on May 15-16, 2004. In June 2004, Neustar changed vendors, enabling the handling of database issues within normally-scheduled maintenance windows. This migration also enabled NeuStar to meet growing volume demands. Rather than demonstrating a problem with handling the capacity of the porting databases, this incident shows that NeuStar is proactively maintaining the databases.

60. This concludes my affidavit.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Ronald M. Pate

Director

Interconnection Operations

Subscribed and sworn to before me

This 18th day of October, 2004

Gay P. Ditz Notary Public, DeKaib County

Georgia
My Commission Expires
February 09, 2007

WC Docket No. 04-313 CC Docket No. 01-338

Pate Reply Affidavit

Exhibit - RMP - 1



BellSouth Telecommunications, Inc.

150 South Monroe Street Taliahassee, Florida 32301 850 224-5244 Fax 850 222-8640

Internet

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Maryrose Sirianni Manager

Regulatory Relations

June 18, 2004

Lisa Harvey Florida Public Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32302

RE: Docket No. 000121A - BellSouth Flow through Report

Dear Ms. Harvey,

Attached is a copy of BellSouth's Flow-Through improvement plan progress report. If you have any further questions, please do not hesitate to call me.

Sincerely,

Mary Rose Sirianni

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

Investigation into the establishment)	Docket No. 000121A-TP
Of Operations Support Systems Permanent)	
Performance Measures for Incumbent)	
Local Exchange Telecommunications Companies)	
•	ز	Filed: June 18, 2004

BELLSOUTH'S FLOW-THROUGH IMPROVEMENT PLAN PROGRESS REPORT

OVERVIEW

In its Performance Metrics Order, the Florida Public Service Commission ("Commission") ordered BellSouth to file a Flow-Through improvement plan by July 30, 2002 describing how it intends to achieve the Service Quality Measure Flow-Through benchmarks and show significant improvement in 2002. The Commission opened Docket No. 000121-TP to develop permanent performance metrics for the ongoing evaluation of Operations Support Systems ("OSS") provided for Competitive Local Exchange Carriers' ("CLECs") use by Incumbent Local Exchange Carriers ("ILECs"). Associated with the performance metrics is a monitoring and enforcement program to ensure that CLECs receive nondiscriminatory access to the ILEC's OSS.

BellSouth filed its first status update to the Commission on October 30, 2002. In response to the Commission's request dated August 18, 2003, BellSouth provided to the Commission, in a September 11, 2003 filing, performance updates in the categories outlined in its original plan report (actual and projected results), as well as the status of the implementation of flow-through improvement items.

At the time of that filing, BellSouth proposed – and the Commission agreed – that subsequent quarterly progress reports (beginning with the December 12, 2003 report)) would focus solely upon segments that do not meet the benchmark for at least 2 out of 3 months within the subject quarter. The Commission further requested that the reports

include updates for segments that failed to meet the benchmark in any two consecutive months in order to capture segments that failed only the last month of the previous quarter and only the first month of the succeeding quarter.

In this report, the Commission will find that one (1) segment – Business Resale – fell within this category for the February – April 2004 timeframe. Additionally, BellSouth provides an updated Flow-Through Improvement Projection chart for all categories.

Business Resale

BellSouth continues to reiterate that this segment's complexity – coupled with its low volume – makes it difficult to realize significant flow-through improvement that can be sustained much beyond 85%. Results can be easily skewed up or down for otherwise minor issues due to the low volume and complexity of orders in this sub-metric. The business segment amounted to a monthly average of only 1.22% of total mechanized LSR volume for the three (3) months covered by this report.

Results for February and March rose slightly along with a slight increase in volume. Results for April slightly exceeded the benchmark for the first time. The increase follows the implementation of flow-through improvement items in Release 15.0 on March 13, 2004 and a slight increase in volumes of business orders.

BellSouth recently identified an error condition that is causing certain wholesale Business requests (since mid-May) to fall out for manual processing. Preliminary review indicates that the error affects approximately 600 LSRs per month, or approximately 5% of CLEC LSR monthly volume in this Business Resale category. BellSouth is performing analysis of the error, and will determine a performance improvement plan to resolve this issue. BellSouth's revised Business Resale projections in the attached chart reflect this BellSouth-caused error condition.

The following chart provides BellSouth's projected timelines for each flow-through segment, showing current performance and expected improvements.

FLOW-THROUGH IMPROVEMENT PROJECTION

Category	Residence		Business		UNE		LNP	
	Resale		Resale	<u> </u>				
Benchmark	95%		90%		85%	<u> </u>	85%	L
Actual/	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected
Projected	1 1		l					
Performance	·							
Jul 02	87.70	-	73.23		89.13		88.50	
Aug 02	89.52		76.17		87.94		88.09	
Sep 02	90.20		77.80		89.81		88.81	
Oct 02	92.25		80.65		92.71		86.53	
Nov 02	94.52		78.62		93.98		85.46	
Dec 02	93.55		81.40		92.21		82.81	
Jan 03	87.61		82.08		92.26		82.48	
Feb 03	86.95		82.34		95.57		76.45	
Mar 03	95.64		83.50		96.33		76.99	
Apr 03	97.95		87.11		96.11		79.82	
May 03	97.82		87.43		96.90		76.65	
Jun 03	97.43		86.15		95.88		83.05	
Jul 03	97.25		88.82		95.38		86.41	
Aug 03	97.31		88.67		96.13		84.64	
Sep 03	97.49		85.79		95.64		78.89	
Oct 03	97.38		86.33		96.63		74.00	
Nov 03	94.73		86.96		95.75		69.33	
Dec 03	97.82		88.48		96.69		93.40	
Jan 04	96.62		85.12		96.18		93.33	
Feb 04	97.88		89.75		95.99		93.95	
Mar 04	98.32		89.24		95.20		93.32	
Apr 04	98.62		90.64		95.80		96.58	
May 04		98.64		86.38		96.92		97.34
June 04		98.64		85.38		98.55		97.38
July 04		98.66		85.52		98.62		97.54

WC Docket No. 04-313 CC Docket No. 01-338

Pate Reply Affidavit

Exhibit - RMP - 2



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September 22, 2004

Lisa Harvey Florida Public Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32302

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Sincerely,

Mary Rose Sirianni

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

Investigation into the establishment)	Docket No. 000121-TP
Of Operations Support Systems Permanent)	
Performance Measures for Incumbent)	
Local Exchange Telecommunications Companies)	
)	Filed: September 22, 2004

BELLSOUTH'S FLOW-THROUGH IMPROVEMENT PLAN PROGRESS REPORT

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In this report, the Commission will find that one (1) segment – Business Resale – fell within this category for the May-July 2004 timeframe. Additionally, BellSouth provides an updated Flow-Through Improvement Projection chart for all categories.

Business Resale

BellSouth continues to reiterate that this segment's complexity – coupled with its low volume – makes it difficult to realize significant flow-through improvement that can be sustained much beyond 85%. Results can be easily skewed up or down for otherwise minor issues due to the low volume and complexity of orders in this sub-metric. The business segment amounted to a monthly average of only 1.18% of total mechanized LSR volume for the three (3) months covered by this report.

As described in BellSouth's previous report, BellSouth identified an error condition that is causing certain wholesale Business requests (since mid-May) to fall out for manual processing. A review of LSR activity during the May-July 2004 reporting period indicates that the error affected only 532 mechanized LSRs, or approximately 1.8% of CLEC total mechanized LSR volume in this Business Resale category. Further, BellSouth has performed a system analysis of the error to determine a possible solution. A feature to change system coding has been opened and will be prioritized for implementation to fix the error as soon as practically possible within BellSouth's release management process schedule.

BellSouth has revised its Business Resale projections in the attached chart to reflect this BellSouth-caused error condition. BellSouth met this category's 90% benchmark in April, and although the performance during this reporting period fell below that achievement, BellSouth notes that July performance was back up to 88.09%, with projections to hold steady at 88.28% for the upcoming reporting period.

The following chart provides BellSouth's projected timelines for each flow-through segment, showing current performance and expected improvements.

FLOW-THROUGH IMPROVEMENT PROJECTION

Category	Residence Resale		Business Resale		UNE		LNP	
Benchmark	95%		90%		85%		85%	
Actual/	Actual	Projected	Actual	Projected	Actual	Projected	Actual	Projected
Projected			ļ]				
Performance			1	<u> </u>				
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Dec 02	93.55		81.40		92.21		82.81	
Jan 03	87.61		82.08		92.26		82.48	
Feb 03	86.95		82.34		95.57		76.45	
Mar 03	95.64		83.50		96.33		76.99	
Apr 03	97.95		87,11		96.11		79.82	
May 03	97.82		87.43		96.90		76.65	
Jun 03	97.43		86.15		95.88		83.05	
Jul 03	97.25		88.82		95.38		86.41	
Aug 03	97.31	-	88.67		96.13		84.64	
Sep 03	97.49		85.79		95.64		78.89	
Oct 03	97.38		86.33		96.63		74.00	
Nov 03	94.73		86.96		95.75		69.33	
Dec 03	97.82		88.48		96.69		93.40	
Jan 04	96.62		85.12		96.18		93.33	
Feb 04	97.88		89.75		95.99		93.95	
Mar 04	98.32		89.24		95.20		93.32	
Apr 04	98.62		90.64		95.80		96.58	
May 04	98.64		86.38		96.91		97.34	
June 04	98.50		85.04		96.89		97.62	
July 04	98.62		88.09		97.36		97.79	
August 04		98.68		88.28		97.64		97.96
September 04		98.68		88.28		97.64		97.96
October 04		98.68		88.28		97.64		97.96

WC Docket No. 04-313 CC Docket No. 01-338

Pate Reply Affidavit

Exhibit - RMP - 3

September 22, 2004

Mandatory Minimum Standards for Exchange of Customer Account Information >> Docket No. CG 02-386



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Part I: Exchange of Customer Account Information **Between IXC and LEC**

>> The Commission Should Require all Carriers to Participate in Minimum CARE Standards

- The Commission should require all IXCs, CLECs, and ILECs to participate in CARE standards developed by the industry.
 - Participation will provide consistency sought within the industry and reduce the number of customer complaints involving billing errors.
- Mandatory participation would require the exchange of information between providers of activities affecting the customer's PIC.
 - Changes
 - Additions
 - Disconnects
 - Customer account information



>> The Commission Should Require Providers to Follow the CARE Standards Developed by the Industry

- ATIS OBF has already established guidelines and standards in a document entitled Equal Access Subscription Customer Account Record Exchange Industry Support Interface (CARE/ISI).
- The Commission need not and should not mandate its own set of standards or require the use of specific CARE codes as proposed by the Joint Petitioners.
 - The joint proposal goes beyond "minimum" standards.
 - The Petitioners' proposed codes far exceed the information necessary to accomplish PIC changes for billing.
 - Mandating particular codes would constitute unjustified micromanagement of the CARE process by the Commission.
- The Commission should not dictate methods by which CARE information is exchanged. Instead, the Commission should require participation in CARE, but 1) allow carriers to select from among existing codes, and 2) allow carriers to retain the flexibility to transmit codes in the manner that best suits their needs and is compatible with their systems and sizes.



>> The Commission Should Not Adopt Performance Measurements

- The Commission's enforcement authority is sufficient to protect carriers and consumers.
 - The Enforcement Bureau has the ability to investigate charges of noncompliance.
- Mandating performance measures for CARE would be premature. Requiring IXCs, CLECs, and ILECs to participate in CARE in accordance with the OBF guidelines will improve the exchange of customer information and minimize any adverse effects on customers.
- If the Commission were to establish performance measures, such standards:
 - Should not be based on the thresholds proposed by the Joint Petitioners.
 - Should apply evenly to all carriers.
 - Should preempt any state-imposed performance measures for the exchange of customer information.



>> Recommendation

 Commission should require all providers to participate in minimum CARE standards developed by the industry for changes involving a customer's presubscribed interexchange carrier



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Exchange of Customer Account Information Between Local Service Providers Part II:



>> Local to Local Changes Are Just As Important

- The sharing of necessary customer information is not limited to changes involving presubscribed IXCs.
- The exchange of end user account information between local service providers is equally critical when a customer is switching local service.
- The same problems experienced by IXCs are shared by local service providers in the local exchange market.
 - Many local service providers, that are not subject to regulatory requirements, do not exchange information in a uniform manner and/or provide incomplete and untimely information.
- The result is often delayed service for the customer and/or double billing.



>> Information is Critical to Timely Local-to-Local Carrier Changes

- ? Customers switching local service providers demand the service transition to be seamless and timely.
- ? The exchange of certain information between the "old" and "new" service providers is essential when a customer: (1) switches between facilities-based local service providers and, (2) requests to retain the same telephone number (LNP). This information includes:
 - 1. Customer Service Record (CSR) information
 - 2. Local Service Request (LSR) to change local service provider
 - 3. Rejects/Clarifications regarding the submitted LSR
 - 4. Firm Order Confirmation (FOC) accepting the LSR submission
 - 5. Due Date to complete the change of the end user's local service
- ? Customers do not receive the service they expect when:
 - 1. An "old" local service provider does not respond to the CSR request and/or LSR submission in a timely and/or consistent manner.
 - 2. All local service providers do not provide business rules for the exchange of information and LSR submission or changes rules without notice.
- ? As a result, customers can experience extended delays in establishing new service and confusion over the source of delay.





Minimum Standards Necessary for Local-to-Local Carrier Changes

In order to provide end users with a seamless and timely carrier change in situations involving facility-based providers and local number portability, the new local service provider needs the following:

- 1. Near real-time access to the "old" local service provider's customer service records.
 - On-line access to customer service records, or at a minimum, 24 hour interval for CSR retrieval by facsimile or e-mail when on-line access is not available.
- 2. Minimum CSR information as described in the draft *Local Service Migration Guidelines, Issue 1*, which were developed by the Ordering and Billing Forum (OBF) of the Alliance For Telecommunications Industry Solutions (ATIS).
 - ? Account level information
 - ? Billing telephone number, Complete service name and address (including floor, suite, etc.)
 - ? Complete billing name and address (where required by State regulatory guidelines)
 - ? Directory listing information including address, listing type, etc. when requested
 - ? Line level information
 - ? Working telephone number(s)
 - ? Current preferred interexchange carrier for inter and intra LATA toll calls including freeze status
 - ? Local service freeze status, if applicable
 - All vertical features (e.g., custom calling, hunting, etc.) and options (e.g., Lifeline, 900 blocking, toll blocking, remote call forwarding, off-premises extensions, etc.)
 - ? Service configuration information (e.g., resale, UNE-P, unbundled loop)
 - 1 Identification of any services on the end user's line (e.g., line splitting, internet service, etc.)
 - Exchange Carrier Circuit ID (ECCKT) with associated telephone number when available and eligible for reuse

 BELLSOUTH

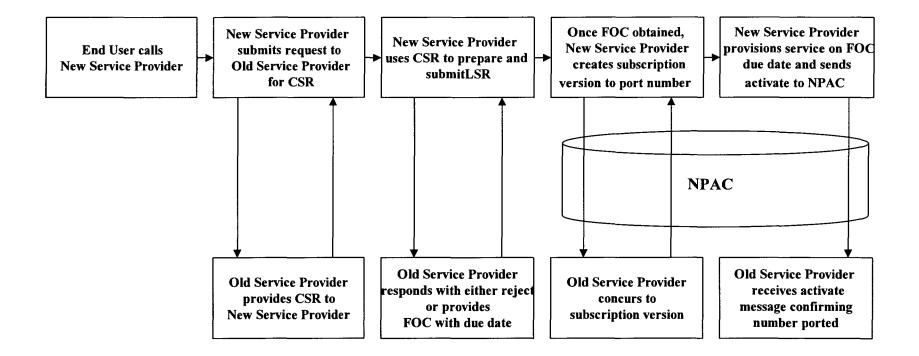
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Minimum Standards Necessary for Local-to-Local Carrier Changes (continued)

- 3. Consistent and reasonable rejects/clarifications of Local Service Requests (LSRs) containing errors. Clarifications should be returned with all errors identified at once, rather than serially.
- 4. Timely return of rejects/clarifications and firm order confirmations (FOCs).
- 5. Reasonable due date intervals for the completion of the end user's change of local service. (i.e., 3 days for non-designed loops.)
- 6. Establishment and publication of consistent, complete, and reasonable business rules with a robust change management process and method to receive and respond to changes.
- Adherence to industry standards, procedures, and rules for local number portability (LNP) and preferred provider freeze (or local service freeze), such as those that have been established by NANC, NPAC, the Commission, and the state regulatory commissions.



>> Summary of LNP Local-to-Local Carrier Change







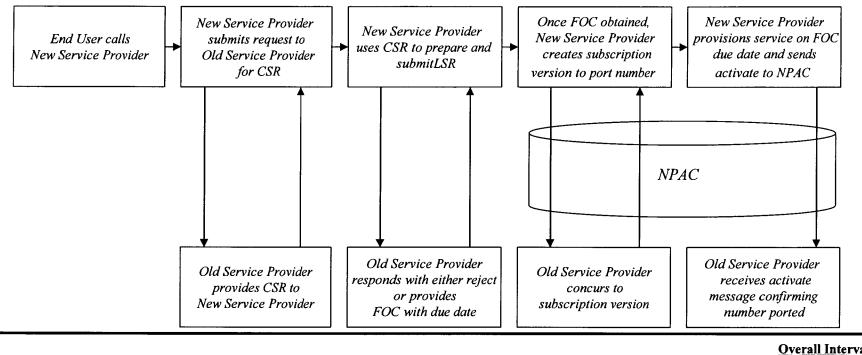
Timeliness is Important to Completing Local Service Change Requests

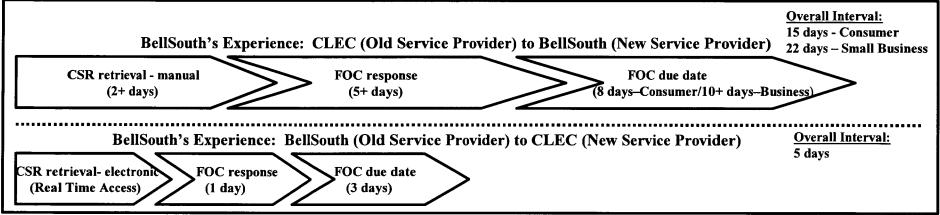
Example of current ILEC obligation (BellSouth-GA):

Reject Interval	Benchmark				
Fully Mechanized	97% within 1 hour				
Partially Mechanized	90% within 10 hours				
Non-Mechanized (Manual)	95% within 24 hours				
Firm Order Confirmation Timeliness					
Fully Mechanized	95% within 3 hours				
Partially Mechanized	90% within 7 hours				
Non-Mechanized (Manual)	95% within 24 hours				
Average Response Time for Customer Service Record					
Fully Mechanized	Parity +2 seconds				



Summary of LNP Local-to-Local Carrier Change ->> BellSouth's Experience







>> Recommendation

- Commission should implement mandatory minimum standards for the consistent and timely exchange of information between local service providers:
 - CSR retrieval (data, format, & timeliness)
 - LSR submission (establishment of and access to documented business rules)
 - LSR rejects/clarifications (consistency & timeliness)
 - FOC (data, format, & timeliness)
 - Reasonable due dates for migration
 - Change management process for business rules and change notifications
 - Adherence to industry standards

